

REMARKS

By this Amendment, claim 1 is amended. Support for the amendment to claim 1 may be found, for example, in paragraph [0013] of the specification. No new matter is added. Accordingly, claims 1-5 are pending. Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments merely amplify issues discussed throughout the prosecution; (c) do not present any additional claims without canceling a corresponding number of claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of this Amendment is thus respectfully requested.

Claims 1 and 3-5 were rejected under 35 U.S.C. §102(e) based on Koivu (U.S. Pat. No. 6,266,332 B1). Claim 2 was rejected under 35 U.S.C. §103(a) based on Koivu in view of Verrier *et al.* (U.S. Pat. No. 6,606,499 B1) (hereinafter “Verrier”). Applicant respectfully traverses these rejections because Koivu and Verrier, taken alone or in combination, fail to disclose, teach or suggest all the features recited in the rejected claims.

For example, Koivu and Verrier, taken alone or in combination, fail to disclose, teach or suggest a method of assigning radio channels to a set of base stations in a wireless network, comprising: “determining a set of radio channels to include all radio channels which said set of base stations have at their disposal for communication, and assigning one radio channel out of said determined set of radio channels to each base station during manufacture of the base stations in such a way that each radio channel in said determined set of radio channels is assigned substantially an equal number of times”, as recited in claim 1 and its dependent claims.

Koivu merely discloses a communication network including base stations that are in communication with a base station controller. (*See* FIG. 1). Koivu teaches that a common channel is used in the various communication branches that connect the base stations to the base station controller. (*See* col. 3, lines 13-23). However, Koivu teaches away from the features of claim 1 because Koivu teaches that the base stations have at their disposal additional channels that are different from those assigned during manufacturing. Specifically, Koivu teaches that each base station adjusts its transmission unit to use a base

station specific channel as a response to a branching table transmitted to the base station on the common channel. (*See* col. 3, lines 35-60). Therefore, in Koivu, base stations have at their disposal additional base station specific channels that are not assigned as the common channels during manufacturing of the base station.

Verrier fails to remedy the deficiencies of Koivu. Verrier merely discloses a method of dynamically allocating channels in a cellular radio network to form logical channels dedicated to communications in circuit mode between mobile stations and geographically distributed base stations.

Accordingly, reconsideration and withdrawal of the rejections of claims 1 and 3-5 under 35 U.S.C. §102(e) based on Koivu and claim 2 under 35 U.S.C. §103(a) based on Koivu in view of Verrier are respectfully requested.

All rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

  
CHRISTINE H. MCCARTHY

Reg. No. 41844

Tel. No. 703.905.2143

Fax No. 703.905.2500

CHM/CFL  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000